

## JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION

**Solicitation No.: R14PS00819**

**Project Name: Hoover Dam Tour Ticketing and Parking Garage Facilities Operation**

In accordance with FAR 6.302, the proposed contractual action is pursuant to the statutory authority of 41 U.S.C. 3304(a)(2).

### 1. Agency and Contracting Activity.

Bureau of Reclamation, Lower Colorado Region, Acquisition and Assistance Management Office

### 2. Nature/Description of Action.

Hoover Dam has a requirement for on-going services for the managing, and operating of the integrated on-site Ticket Sales and Reservations System for the various Visitor Center Admission and tour tickets at Hoover Dam as well as for the Hoover Dam Parking Garage (HDPG) and the overflow lots. A new contract is in the process of being solicited, however due to various challenges encountered during reviews and the turnover of several personnel during the pre-solicitation phase, a new contract will not be in place prior to the expiration of the current contract. This procurement will be a bridge contract between the existing contract (R09PC30811 – expires August 31, 2014) and the award of the new contract for the Hoover Dam Parking Garage and Ticketing. This procurement will be a firm-fixed price contract. Fiscal Year 2014 and 2015 funds will be used.

### 3. Description of Supplies/Services.

The Contractor shall provide all personnel, equipment, materials, supervision, and other items and services necessary to implement, manage, and operate an integrated on-site ticket sales and reservations system for the Visitor Center admissions and tour tickets at Hoover Dam, as well as, for the Hoover Dam Parking Garage and overflow lots. The period of performance will be for approximately four months. The estimated value for this procurement is \$492,728.00.

### 4. Statutory Authority Permitting Other than Full and Open Competition.

	Authority	FAR Coverage	Application
<input type="checkbox"/>	41 U.S.C. 3304(a)(1)	FAR 6.302-1	Only one responsible source and no other supplies or services will satisfy agency requirements
<input checked="" type="checkbox"/>	41 U.S.C. 3304(a)(2)	FAR 6.302-2	Unusual and compelling urgency
<input type="checkbox"/>	41 U.S.C. 3304(a)(3)	FAR 6.302-3	Industrial mobilization; engineering, developmental or research capability; or expert services

<input type="checkbox"/>	41 U.S.C. 3304(a)(4)	FAR 6.302-4	International Agreement
<input type="checkbox"/>	41 U.S.C. 3304(a)(5)	FAR 6.302-5	Authorized or required by statute
<input type="checkbox"/>	41 U.S.C. 3304(a)(6)	FAR 6.302-6	National Security
<input type="checkbox"/>	41 U.S.C. 3304(a)(7)	FAR 6.302-7	Public Interest

## **5. Demonstration of Contractor's Unique Qualifications.**

The services provided under the Hoover Dam Tour Ticketing and Parking Garage Facilities Operation contract are vital to the Government and must be continued without interruption upon expiration of the current contract.

The inability to award a contract prior to the expiration of the current contract impacted the decision to restrict competition and resulted in the necessity to initiate a sole source bridge contract to the incumbent contractor, Denison Parking, Inc. Denison Parking has been performing the services for the past 5 years and has established the required plans, processes, and possess the materials, equipment, and personnel necessary to perform the services required under this contract. The services provided under this contract are complex and involved and do not provide for the transfer of responsibilities easily and would result in unnecessary disruption and risk to the Government. The services Denison provides include: Tour Ticket Sales and Reservations, Fee Collection Operations; Financial Management and Operational Reporting; Communications with the Government and general public; Traffic Management and Fee Collection Operations; Financial Management and Operational Reporting; Employee, Visitor and Facility Safety and Security; and Communications with the Government and general public.

Additionally, Dennison Parking personnel have completed and meet all required security and identification requirements and mandatory Bureau of Reclamation training necessary in order to work on-site at Hoover Dam. As demonstrated in the attached CPARS report, Denison Parking has performed exceptionally under this contract. This is crucial because the contractor is representing Hoover Dam and the Bureau of Reclamation, as whole, to all those that visit this national historic landmark. They provide the customer service to visitors of Hoover Dam and support critical infrastructure protection for Hoover Dam. It is in the best interest of the Government to continue the required services with the current contractor performing these services.

## **6. Description of efforts made to maximize competition.**

The original procurement was solicited using full and open competitive procedures. A response of 4 offers were received in response to the solicitation. When the new contract is issued it will be solicited using full and open competitive procedures. Additionally, in accordance with FAR 5.2, a presolicitation notice to synopsise this requirement will be issued in order to increase competition, broaden industry participation in meeting this Government requirement, and assist small business concerns in obtaining contracts/subcontracts.

**7. Determination of Fair and Reasonable Cost.**

The anticipated cost will be considered fair and reasonable based on the current contract and historical data for the past 10 years.

**8. Description of Market Research Conducted.**

A sources sought notice was posted, June 28, 2013, by Contract Specialist, Cristina Hayden, as a part of the market research that was completed in order to determine if a small business set-aside was appropriate for this requirement. While there were not 2 or more small businesses capable of performing this requirement, 5 contractors, not qualified as small-businesses, were interested in this requirement. Market research was also performed, by the COR, Ms. Julie Merchen, and documented through the Commercial/Non-Commercial Item Market Determination Form WBR 1410.001. These service were determined to be non-commercial due to the performance based service requirements of FAR 37.102 and WBR 1410.001 Form 1 Addendum, which include payment deducts and incentives. Based on the current solicitation and these ongoing services being contracted for the past 10 years, adequate companies are readily available. Although, companies are available to perform these services, it is not cost effective or feasible to have a company phase in for a short period of time without disruption to services.

**9. Any Other Supporting Facts.**

It will be detrimental to the government if services under this contract are not continued through a bridge contract to the incumbent contractor, Denison Parking, Inc. In 2013, the annual revenue generated under this contract was \$11,519,788.09, which includes ticket and parking sales. This revenue was a result of 873,674 visitors, 449,764 autos, and 1,031 buses to Hoover Dam. As of June 2014, 2014 revenue has already surpassed 2013 annual revenue by \$5,023,802.36. The loss of revenue from September 1, 2014 – December 31, 2014, without awarding a sole-source bridge contract, would amount to over \$3,481,625.66 in lost revenue, utilizing 2013 data. Additionally, the repercussions to the government go beyond just the loss of revenue and would not only affect the image of this agency but would also attract negative attention.

**10. Listing of Interested Sources.**

There has been a lot of interest in the new solicitation that will be issued for this requirement. Contractors have been contacting the contracting office to inquire when the solicitation will be issued. All contractors have been directed to check Federal Business Opportunities regularly for this requirement.

**11. Actions Taken to Remove Barriers to Competition.**

When the new contract is solicited it will be done using full and open competitive procedures under FAR Part 6.1.